

**Listing of Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Original) A spread spectrum communication system comprising control means for controlling a transmission band width and a transmission power of a counterpart equipment depending upon a communication quality.

2. (Original) A spread spectrum communication system as set forth in claim 1, wherein said communication quality is expressed by a reception bit error ratio.

3. (Original) A spread spectrum communication system as set forth in claim 1, wherein when said communication quality is degraded below a predetermined level, said control means varies a transmission band to a wider frequency band when vacant band is present in a wider band than a currently used frequency band.

4. (Original) A spread spectrum communication system as set forth in claim 1, wherein when said communication quality is degraded below a predetermined level, said control means increases a transmission power when vacant band is not present in a wider band than a currently used frequency band.

5. (Original) A spread spectrum communication system as set forth in claim 1, wherein when said communication quality is not degraded below a predetermined level and the transmission power is not minimum, the transmission power is lowered.

6. (Original) A spread spectrum communication system as set forth in claim 1, wherein when said communication quality is not degraded below a predetermined level and the transmission power is minimum, and when vacant band is not present in a narrower band than a currently used frequency band, the current frequency band and transmission power are maintained.

7. (Original) A spread spectrum communication system as set forth in claim 1, wherein when said communication quality is not degraded below a predetermined level

and the transmission power is minimum, and when vacant band is present in a narrower band than a currently used frequency band, the frequency band is varied to narrower band.

8. (Original) A spread spectrum communication system as set forth in claim 1, wherein said communication quality is classified into three levels depending upon degree, when said communication quality is in medium level, said control means maintains current frequency band and transmission power.

9. (Original) A spread spectrum communication system as set forth in claim 1, wherein said control means varies the transmission band width by varying a chip rate.

10. (Original) A spread spectrum communication system as set forth in claim 1, wherein said control means varies the transmission band width by varying a data rate.

11. (Original) A spread spectrum communication system as set forth in claim 1, wherein said control means varies the transmission band width by varying a bit number of an error correction code.

12. (Original) A spread spectrum communication method comprising control step of controlling a transmission band width and a transmission power of a counterpart equipment depending upon a communication quality.

13. (Original) A spread spectrum communication method as set forth in claim 12, wherein said communication quality is expressed by a reception bit error ratio.

14. (Original) A spread spectrum communication method as set forth in claim 12, wherein when said communication quality is degraded below a predetermined level, said control step varies a transmission band to a wider frequency band when vacant band is present in a wider band than a currently used frequency band.

15. (Original) A spread spectrum communication method as set forth in claim 12, wherein when said communication quality is degraded below a predetermined level, said control step increases a transmission power when vacant band is not present in a wider band than a currently used frequency band.

16. (Original) A spread spectrum communication method as set forth in claim 12, wherein when said communication quality is not degraded below a predetermined level and the transmission power is not minimum, the transmission power is lowered.

17. (Original) spread spectrum communication method as set forth in claim 12, wherein when said communication quality is not degraded below a predetermined level and the transmission power is minimum, and when vacant band is not present in a narrower band than a currently used frequency band, the current frequency band and transmission power are maintained.

18. (Original) A spread spectrum communication method as set forth in claim 12, wherein when said communication quality is not degraded below a predetermined level and the transmission power is minimum, and when vacant band is present in a narrower band than a currently used frequency band, the frequency band is varied to narrower band.

19. (Original) A spread spectrum communication method as set forth in claim 12, wherein said communication quality is classified into three levels depending upon degree, when said communication quality is in medium level, said control step maintains current frequency band and transmission power.

20. (Original) A spread spectrum communication method as set forth in claim 12, wherein said control step varies the transmission band width by varying a chip rate.

21. (Original) A spread spectrum communication method as set forth in claim 12, wherein said control step varies the transmission band width by varying a data rate.

22. (Original) A spread spectrum communication method as set forth in claim 12, wherein said control step varies the transmission band width by varying a bit number of an error correction code.

23. (Previously Presented) A spread spectrum communication system as set forth in claim 1, wherein when said communication quality is degraded below a

predetermined level, said control means varies the transmission band width in preference to varying the transmission power.

24. (Previously Presented) A spread spectrum communication method as set forth in claim 12, wherein when said communication quality is degraded below a predetermined level, said control step varies the transmission band width in preference to varying the transmission power.